UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/595,136	08/06/2007	Pal Longva Hellum	P18589-US1	3275

27045 7590 07/21/2009

ERICSSON INC.
6300 LEGACY DRIVE
M/S EVR 1-C-11
PLANO, TX 75024

EXAMINER	
ANWAR, MOHAMMAD S	
ART UNIT	PAPER NUMBER
2416	

MAIL DATE	DELIVERY MODE
07/21/2009	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/595,136	HELLUM ET AL.	
	Examiner	Art Unit	
	MOHAMMAD ANWAR	2416	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *03 March 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,3,4,23-27,30-40 and 44-52* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,3-4,23-27,30-40,44-52* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *03 March 2006* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

1. Claims 1, 3-4, 23-27, 30-40 and 44-52 are objected to because of the following informalities:

In claims 1, 3-4, 23-27, 30-40 and 44-52, please remove spacing between letters of the word “characterized” and “in”.

In claim 3, line 3 recites “the Plesi-synchronous Digital Hierarchy, PDH and Synchronous Digital Hierarchy, SDH” which lacks antecedent basis.

In claim 3, lines 4-5 recite “the fan systems” which lacks antecedent basis.

In claim 35 line 3 recites “modus” which should read mode. Similar problem exists in claim 44 line 3 and claim 49 line 12.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.

2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

3. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

4. Claims 1, 3-4, 23-24 and 44-48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Elliot et al. (U.S. Patent No. 7,151,741 B1) in view of Eitner et al. (U.S. Patent No. 6,070,012).

For claims 1 and 24, Elliot et al. disclose a telecommunication or data communication node comprising a number of plug-in units (see Figure 4A), a first number of the plug-in units hosting a device processor (see Figure 6 (611), the first number of the plug-in units comprising a first and a second flash memory bank (see Figure 6, (612,602), and the node further comprises a separate traffic and control system (see Figure 6 (600)), the node comprising redundant traffic buses and the traffic and control system being separated on intra boards and inter boards respectively (see column 2 lines 35-43). Elliot et al. disclose all the subject matter but fails to mention characterized in that one of the memory banks is adapted to be in an upgradeable state

and the other memory bank is adapted to be in an operable state, where the states are mutually interchangeable. However, Eitner et al. from a similar field of endeavor disclose characterized in that one of the memory banks is adapted to be in an upgradeable state and the other memory bank is adapted to be in an operable state, where the states are mutually interchangeable (see column 6 lines 35-51, column 7 lines 66-67 and column 8 lines 1-5). Thus, it would have been obvious to one ordinary skill in the art at the time of invention was made to include Eitner et al. memory upgrading scheme into Elliot et al. redundancy scheme. The method can be implemented in flash memory. The motivation of doing this is to download hot updates while switch is processing data (see column 6 lines 39-41).

For claim 3, Elliott et al. disclose c h a r act e r i s e d i n that the traffic buses are Time Division Multiplex, TDM, buses having redundant switching functions (see Figure 3, column 4 lines 17-19, column 7 lines 18-20), the Plesi-synchronous Digital Hierarchy, PDH, and Synchronous Digital Hierarchy, SDH, synchronization buses are redundant (see Figure 4 A (XC1(440), XC2(442); column 5 lines 26-46) and the fan systems are redundant (see Figure 4A (470, a fan tray with multiple fans).

For claim 4, Elliot et al. disclose characterized in that said telecommunication or data communication node's software consists of the following major component types: a) basic node software, BNS, that realizes the control and management of said node and its Traffic Node Basic Node Hardware Building Blocks, TN BNH BB, residing on Application Plug-in Units, APU's, (see column 15 lines 58-60); b) application node processor software, ANS, which is a control software for the application and for all

software on a Node Processor Unit, NPU, (see column 14 lines 53-58) c) application device processor software is located on the APU, provided that the APU houses one or more processors, it interfaces with ANS (see column 14 lines 59-64).

For claim 23, Elliot et al. disclose characterized in that said telecommunication or data communication node comprises a plurality of distributed power sensors sensing a voltage level on said plug-in units and said boards (see column 15 lines 25-32).

For claim 44, Elliot et al. disclose all the subject matter but fails to mention characterized in that setting the first and second memory bank in a passive and an active state/mode respectively where the states/modes are mutually interchangeable between the first and second memory bank. However, Eitner et al. from a similar field of endeavor disclose characterized in that setting the first and second memory bank in a passive (see column 7 lines 61-67 and column 8 lines 1-5).and an active state/mode respectively where the states/modes are mutually interchangeable between the first and second memory bank (see column 7 lines 61-67 and column 8 lines 1-5). Thus, it would have been obvious to one ordinary skill in the art at the time of invention was made to include Eitner et al. memory upgrading scheme into Elliot et al. redundancy scheme. The method can be implemented in flash memory. The motivation of doing this is to download hot updates while switch is processing data (see column 6 lines 39-41).

For claims 45 and 46, Elliot et al. disclose all the subject matter but fails to mention characterized in that software upgrading the telecommunication or data communication node from a first version n to a second version n+1 comprises the following steps: downloading the second version n+1 to a passive memory bank, and

b. writing a pointer to the passive memory bank making the passive memory bank the active one and consequently making the previous active memory bank passive; characterized in that step a further comprises the step of executing a test-run on the second version n+1. However, Eitner et al. from a similar field of endeavor disclose characterized in that software upgrading the telecommunication or data communication node from a first version n to a second version n+1 comprises the following steps: downloading the second version n+1 to a passive memory bank, and b. writing a pointer to the passive memory bank making the passive memory bank the active one and consequently making the previous active memory bank passive (see Figure 5, column 4 lines 46-58, column 6 lines 36-51, column 7 lines 18-25); characterized in that step a further comprises the step of executing a test-run on the second version n+1 (see column 7 lines 50-59). Thus, it would have been obvious to one ordinary skill in the art at the time of invention was made to include Eitner et al. memory upgrading scheme into Elliot et al. redundancy scheme. The method can be implemented in flash memory. The motivation of doing this is to download hot updates while switch is processing data (see column 6 lines 39-41).

For claims 47 and 48, Elliot et al. disclose all the subject matter but fails to mention characterized in configuring a software system release with three software modules includes the step of:

a. establishing a traffic node basic node software in a node processor software load module.

b. establishing an application node software in a node processor software load module, and

c. establishing an application device software, such as application plug-in units with a device processor;

characterized in software upgrading said telecommunication or data communication node from on software release version n to another software release version n+1.

However, Eitner et al. from a similar field of endeavor disclose characterized in configuring a software system release with three software
modules includes the step of:

a. establishing a traffic node basic node software in a node processor software load module (see Figure 7 (408), operating system).

b. establishing an application node software in a node processor software load module (see Figure 7 (406), application software), and

c. establishing an application device software, such as application plug-in units with a device processor (see Figure 3); characterized in software upgrading said telecommunication or data communication node from on software release version n to another software release version n+1 (see column 7 lines 28-25). Thus, it would have been obvious to one ordinary skill in the art at the time of invention was made to include Eitner et al. memory upgrading scheme into Elliot et al. redundancy scheme. The method can be implemented in flash memory. The motivation of doing this is to download hot updates while switch is processing data (see column 6 lines 39-41).

5. Claims 25 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Elliot et al. in view of Eitner et al. as applied to claim 24 above, and further in view of Araoka et al (U.S. Patent No. 5,343,009).

For claim 25, Elliot et al. and EItner et al. disclose all the subject matter but fails to mention characterized in that hot swapping/removing/replacing a plug-in unit comprises the step of: a) pushing or pulling a first switch indicating a plug-in unit removal, b) wait for a first signal indicating an activation of the first switch, c) when the first signal becomes active, denoting a start of a board removal interval time t2, and d) removing the plug-in unit during the board removing interval time. However, Araoka et al. from a similar field of endeavor disclose a) pushing or pulling a first switch indicating a plug-in unit removal (see column 4 lines 61-63) b) wait for a first signal indicating an activation of the first switch (see column 4 lines 64-68, column 5 lines 1-4), c) when the first signal becomes active, denoting a start of a board removal interval time t2 (see column 5 lines 4-5), and d) removing the plug-in unit during the board removing interval time (see column 5 lines 5-6). Thus, it would have been obvious to one ordinary skill in the art at the time of invention was made to include Araoka et al. hot swapping scheme into Elliot et al. and Eitner et al. redundancy scheme. The method can be implemented in a plug-in unit. The motivation of doing this is to replace faulty hardware without causing any interruption in data (see column 1 lines 48-51).

For claim 30, Elliot et al. and Eitner et al. disclose all the subject matter but fails to mention a. pushing or pulling the first switch indicating a board removal causing the

basic node software to inform the application node software that a plug-in unit shall be taken out of service, the application node software executes a number of commands as a response to the information given from the basic node software, thereafter, when the application node software has finished the number of commands it will report to the basic node software that the plug-in unit can be removed, thereafter the basic node software is de-allocating a peripheral component interconnect device drivers for the plug-in unit and indicates the de-allocation with a visible signal, such as turning on a LED, and the basic node software places the application plug-in unit in cold reset. However, Araoka et al. from a similar field of endeavor disclose pushing or pulling the first switch indicating a board removal causing the basic node software to inform the application node software that a plug-in unit shall be taken out of service (see column 4 lines 61-63), the application node software executes a number of commands as a response to the information given from the basic node software (see column 4 lines 63-67), thereafter, when the application node software has finished the number of commands it will report to the basic node software that the plug-in unit can be removed (see column 4 lines 67-68 and column 5 lines 1-4), thereafter the basic node software is de-allocating a peripheral component interconnect device drivers for the plug-in unit and indicates the de-allocation with a visible signal, such as turning on a LED, and the basic node software places the application plug-in unit in cold reset (see column 5 lines 4-12). Thus, it would have been obvious to one ordinary skill in the art at the time of invention was made to include Araoka et al. hot swapping scheme into Elliot et al. and Eitner et al. redundancy scheme. The method can be implemented in a plug-in unit. The

motivation of doing this is to replace faulty hardware without causing any interruption in data (see column 1 lines 48-51).

6. Claims 26 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Elliot et al. in view of Eitner et al and Araoka et al. as applied to claim 24 above, and further in view of Ruget et al. (U.S. PGPub. No. 2003/0233487 A1).

For claims 26 and 27, Elliot et al. and Eitner et al. and Araoka et al. disclose all the subject matter but fails to mention characterized in that replacing said plug-in unit includes the step of removing said plug-in unit during the board removal interval t 2 and within a second interval, a board replacement interval T 8, adding a new plug-in unit to said telecommunication or data communication node. However, Ruget et al. disclose characterized in that replacing said plug-in unit includes the step of removing said plug-in unit during the board removal interval t 2 and within a second interval, a board replacement interval T 8, adding a new plug-in unit to said telecommunication or data communication node (see paragraph 4). Thus, it would have been obvious to one ordinary skill in the art at the time of invention was made to include Ruget et al. hot swap interval scheme into Elliot et al. and Eitner et al. and Araoka et al. redundancy scheme. The method can be implemented in a driver. The motivation of doing this is to continue processing while hot plug or unplug devices (see paragraph 4).

7. Claims 31 is rejected under 35 U.S.C. 103(a) as being unpatentable over Elliot et al. in view of Eitner et al. as applied to claim 24 above, and further in view of Meriet. (U.S. Patent No. 7,027,301 B2).

For claim 31, Elliot et al. and Eitner et al. disclose all the subject matter but fails to mention characterized in installing temperature sensors in a serial peripheral interface building block for temperature supervision within said telecommunication or data communication node and measuring a temperature on all boards within said telecommunication or data communication node supporting two levels of temperature alarms. However, Meriet from a similar field of endeavor disclose characterized in installing temperature sensors in a serial peripheral interface building block for temperature supervision within said telecommunication or data communication node and measuring a temperature on all boards within said telecommunication or data communication node supporting two levels of temperature alarms (see column 9 lines 3-11). Thus, it would have been obvious to one ordinary skill in the art at the time of invention was made to include Meriet temperature scheme into Elliot et al. and Eitner et al. redundancy scheme. The method can be implemented in an interface board. The motivation of doing this is to avoid overheating of components on a circuit board (see column 9 lines 12-14),

8. Claims 32 rejected under 35 U.S.C. 103(a) as being unpatentable over Elliot et al. in view of Eitner et al. and Meriet as applied to claims 24 and 31 above, and further in view of Holling et al. (U.S. Patent No. 6,043,461).

For claim 32, Elliot et al., Eitner et al. and Meriet disclose all the subject matter but fails to mention characterized in the step of separating the two levels of temperature alarms, into a first alarm indicating high temperature, and a second alarm indicating excessive temperature. However Holling et al. from a similar field of endeavor disclose characterized in the step of separating the two levels of temperature alarms, into a first alarm indicating high temperature, and a second alarm indicating excessive temperature (see column 17 lines 52-64). Thus, it would have been obvious to one ordinary skill in the art at the time of invention was made to include Holling et al. sensing scheme into Elliot et al., Eitner et al. and Meriet redundancy scheme. The method can be implemented in a sensing device. The motivation of doing this is to warn during high and excessive temperature (see column 17 lines 62-64).

9. Claims 33-34 and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Elliot et al. in view of Eitner et al., Meriet and Holling et al. as applied to claims 24, 31 and 32 above, and further in view of Handley et al. (U.S. Patent No. 6,215,405 B1).

For claims 33 and 34, Elliot et al., Eitner et al., Meriet and Holling et al. disclose all the subject matter but fails to mention setting severity to minor if the temperature is above the high temperature threshold and below the excessive temperature threshold, or setting severity to critical if the temperature is above the excessive temperature threshold, running the node or plug-in units in normal operation, when the temperature is below the high temperature threshold, automatically switching of control functions, unfaltering the traffic functions and sending an alarm to a OAM system when the

temperature is in the high temperature interval and rising from the normal temperature interval, control functions are automatically switched off, automatically shutting down both control and traffic related hardware, sending an alarm to the OAM, this situation equals a cold reset when the temperature is in the excessive area interval rising from the high temperature interval, restarting said node without control functions running, status is sent to the OAM when the temperature is in the high temperature interval, falling from the excessive temperature interval, and returning said node and/or plug-in unit to normal operation when the temperature is in the normal temperature interval falling from the high temperature interval. However, Handley et al. from a similar field of endeavor disclose setting severity to minor if the temperature is above the high temperature threshold and below the excessive temperature threshold (see column 4 lines 57-58, alarm 1, minor alarm) , or setting severity to critical if the temperature is above the excessive temperature threshold (see column 4 lines 58-60, alarm 2); a. running the node or plug-in units in normal operation, when the temperature is below the high temperature threshold (a no alarm condition), b. automatically switching of control functions, unfaltering the traffic functions and sending an alarm to a OAM system when the temperature is in the high temperature interval and rising from the normal temperature interval, control functions are automatically switched off (see column 5 lines 1-8),

automatically shutting down both control and traffic related hardware, sending an alarm to the OAM, this situation equals a cold reset when the temperature is in the excessive area interval rising from the high temperature interval (see column 5 lines 6-

8), restarting said node without control functions running, status is sent to the OAM when the temperature is in the high temperature interval, falling from the excessive temperature interval, and returning said node and/or plug-in unit to normal operation when the temperature is in the normal temperature interval falling from the high temperature interval (see column 5 lines 16-20). Thus, it would have been obvious to one ordinary skill in the art at the time of invention was made to include Handley et al. severity scheme into Elliot et al., Eitner et al., Meriet and Holling et al. redundancy scheme. The method can be implemented in a node. The motivation of doing this is to limit the severity caused by the over-temperature condition (see column 5 lines 7-8).

For claim 36, Elliot et al., Eitner et al., Meriet and Holling et al. disclose all the subject matter but fails to mention characterized in that step e further comprises the step of: restricting the step of return to normal operation to incidents where the temperature is below the high temperature threshold for a period longer than said board removal interval t2. However Handley et al. from a similar field of endeavor disclose characterized in that step e further comprises the step of: restricting the step of return to normal operation to incidents where the temperature is below the high temperature threshold for a period longer than said board removal interval t2 (see column 7 lines 21-37). Thus, it would have been obvious to one ordinary skill in the art at the time of invention was made to include Handley et al. severity scheme into Elliot et al., Eitner et al., Meriet and Holling et al. redundancy scheme. The method can be implemented in a node. The motivation of doing this is to limit the severity caused by the over-temperature condition (see column 5 lines 7-8).

10. Claim 35 is rejected under 35 U.S.C. 103(a) as being unpatentable over Elliot et al. in view of Eitner et al., Meriet, Holling et al. and Handley et al. as applied to claims 24, 31, 32 and 34 above, and further in view of Hawkins et al. (U.S. Patent No. 6,343,318 B1).

For claim 35, Elliot et al., Eitner et al., Meriet, Holling et al. and Handley et al. disclose all the subject matter but fails to mention characterized in that step b further comprises the step of setting application plug-in units to power save mode which is equal to setting the plug-in unit to a warm reset. However, Hawkins et al. from a similar field of endeavor disclose characterized in that step b further comprises the step of setting application plug-in units to power save modus which is equal to setting the plug-in unit to a warm reset (see column 256 lines 41-49). Thus, it would have been obvious to one ordinary skill in the art at the time of invention was made to include Hawkins et al. power save scheme into Elliot et al., Eitner et al., Meriet, Holling et al. and Handley et al. redundancy scheme. The method can be implemented in a plug-in unit. The motivation of doing this is to save power (see column 256 lines 41-49).

11. Claims 37-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Elliot et al. in view of Eitner et al. as applied to claim 24 above, and further in view of Kermaani et al. (U.S. PGPub. No. 2004/0073834).

For claims 37, 38, 39 and 40, Elliot et al. and Eitner et al. disclose all the subject matter but fails to mention characterized in that supervising one or more cooling fans by monitoring fan status and signaling the fan status on a serial peripheral interface bus

from a power filter unit; characterized in supervising individual fans and indicating a failure if one fan fails; characterized in that said telecommunication or data communication node is monitoring correct local power on one or more application plug-in units; characterized in indicating a power failure situation by a visual signal such as turning off a power LED or lamp. However, Kermaani et al. from a similar field of endeavor disclose characterized in that supervising one or more cooling fans by monitoring fan status and signaling the fan status on a serial peripheral interface bus from a power filter unit; characterized in supervising individual fans and indicating a failure if one fan fails; characterized in that said telecommunication or data communication node is monitoring correct local power on one or more application plug-in units (see paragraph 49); characterized in indicating a power failure situation by a visual signal such as turning off a power LED or lamp (see paragraph 42). Thus, it would have been obvious to one ordinary skill in the art at the time of invention was made to include Kermaani et al. components failing scheme into Elliot et al. and Eitner et al. redundancy scheme. The method can be implemented in the control and status plug-in units. The motivation of doing this is to provide redundancy and replace faulty units (see paragraph 11).

12. Claim 49-51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Elliot et al. in view of Eitner et al. as applied to claim 24 above, and further in view of Aroaka et al. and Phillips et al. (U.S. Patent No. 6,072,994)

For claim 49, Elliot et al. disclose characterized in that installation of said telecommunication or data communication node comprises at least the following major steps: a. equipping an application module magazine with a number of plug-in units where at least one of them is a node processor unit (see Figure 4A). Elliot et al. and Eitner et al. disclose all the subject matter but fails to mention

b. turn on the power for said node

c. press a board removal switch

However, Araoka et al (U.S. Patent No. 5,343,009) from a similar field of endeavor disclose a scheme for board removal or hot swapping. b. turn on the power for said node c. press a board removal switch (see claim 25). Thus, it would have been obvious to one ordinary skill in the art at the time of invention was made to include Araoka et al. hot swapping scheme into Elliot et al. and Eitner et al. redundancy scheme. The method can be implemented in a plug-in unit. The motivation of doing this is to replace faulty hardware without causing any interruption in data (see column 1 lines 48-51). Elliot et al., Eitner et al. and Araoka et al. disclose all the subject matter but fails to mention d. perform a configuration check of the node processor unit, e. check if radio link configuration is necessary, if necessary then radio link frequencies have to be configured and/or antenna alignment have to be configured, f. executing manual or automatic security and software upgrade set up g. exit the installation mode, and h. perform a save of the configuration and enter normal operation for said telecommunication or data communication node. However, Phillips et al. from a similar field of endeavor disclose perform a configuration check of the node processor unit (see

column 59 lines 42-49), e. check if radio link configuration is necessary, if necessary then radio link frequencies have to be configured and/or antenna alignment have to be configured (see column 3 lines 23-28, , f. executing manual or automatic security and software upgrade set up (see column 4 lines 14-17)g. exit the installation mode, and h. perform a save of the configuration and enter normal operation for said telecommunication or data communication node (see column 32 lines 11-23). Thus, it would have been obvious to one ordinary skill in the art at the time of invention was made to include Phillips et al. installation scheme into Elliot et al., Eitner et al. and Araoka et al. redundancy scheme. The method can be implemented in a process. The motivation of doing this is to allow maximum flexibility at minimum cost (see column 1 lines 49-51).

For claims 50 and 51, Elliot et al., Eitner et al., and Araoka et al. disclose all the subject matter but fails to mention characterized in that further at step d deleting the configuration and replace it with factory settings if configuration is present, if configuration is replaced a software upgrade have to be preformed; characterized in that the manual set up comprises the following actions, initiating a manual upgrading if a software upgrade is necessary and displaying the upgrades progress and displaying the inventory data to an operator. However, Phillips et al. from a similar field of endeavor disclose characterized in that further at step d deleting the configuration and replace it with factory settings if configuration is present, if configuration is replaced a software upgrade have to be preformed (see column 55 lines 1-5); characterized in that the manual set up comprises the following actions, initiating a manual upgrading if a

software upgrade is necessary and displaying the upgrades progress and displaying the inventory data to an operator (see column 55 lines 1-24). Thus, it would have been obvious to one ordinary skill in the art at the time of invention was made to include Phillips et al. manual upgrade scheme into Elliot et al., Eitner et al., and Araoka et al. redundancy scheme. The method can be implemented in a configuration of a node. The motivation of doing this is to allow maximum flexibility at minimum cost (see column 1 lines 49-51).

13. Claim 52 is rejected under 35 U.S.C. 103(a) as being unpatentable over Elliot et al. in view of Eitner et al., Araoka et al., and Phillips et al. as applied to claims 24 and 49 above, and further in view of Mikurak (U.S. Patent No. 6,606,744 B1).

For claim 52, Elliot et al., Eitner et al., Araoka et al., and Phillips et al. disclose all the subject matter but fails to mention characterized in that the automatic set up comprises the following steps: a. specifying a configuration file,
b. loading the configuration file and append, performing an automatic upgrade if a software upgrade is necessary and displaying the upgrade progress, displaying at least the inventory data to an operator. However, Mikurak from a similar field of endeavor discloses characterized in that the automatic set up comprises the following steps: a. specifying a configuration file,
b. loading the configuration file and append (see column 72 lines 25-34) , performing an automatic upgrade if a software upgrade is necessary (see column 172 lines 10-20) and displaying the upgrade progress, displaying at least the inventory data to an operator

(see column 98 lines 35-48). Thus, it would have been obvious to one ordinary skill in the art at the time of invention was made to include Mikurak set up scheme into Elliot et al., Eitner et al., Araoka et al., and Phillips et al. redundancy scheme. The method can be implemented during a set up of node. The motivation of doing this is to manage installation (see column 1 lines 8-10).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MOHAMMAD ANWAR whose telephone number is (571)270-5641. The examiner can normally be reached on Monday-Thursday, 9am-4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Derrick W. Ferris can be reached on 571-272-3123. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MOHAMMAD ANWAR
Examiner
Art Unit 2416

/M. A./
Examiner, Art Unit 2416
/Derrick W Ferris/
Supervisory Patent Examiner, Art Unit 2416